

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Thomas Goldson, #246145,)	C.A. No. 3:05-374-25BC
)	
Plaintiff,)	
)	
-versus-)	ORDER
)	
(SCDC) employee Lt. Duboes)	
at Kershaw Institution;)	
)	
Defendant.)	
_____)	

This matter is now before the undersigned for review of the Report and Recommendation (“the Report”) filed by United States Magistrate Judge Joseph R. McCrorey, to whom this case had previously been assigned pursuant to 28 U.S.C. § 636(b) and Local Rule 73.02(B)(2) (D.S.C.). (Doc. # 5). In his Report, Magistrate Judge McCrorey recommends that the within Complaint be dismissed without prejudice. Magistrate Judge McCrorey further recommends that this dismissal be deemed a “strike” for purposes of the “three strikes” rule of 28 U.S.C. § 1915(g). The plaintiff filed no objections to the Report.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge’s Report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. No objections have been filed to the Report. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

A review of the record indicates that the Report accurately summarizes this case and the applicable law. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report is **ACCEPTED** (Doc. # 5), and Plaintiff's complaint is dismissed without prejudice. Additionally, the Report recommends that dismissal of this case be deemed a "strike" pursuant to 28 U.S.C. § 1915(g). Again, the plaintiff did not object to the dismissal being deemed a strike. Without objection, the dismissal is deemed a strike.

IT IS SO ORDERED.

s/ Terry L. Wooten

TERRY L. WOOTEN
UNITED STATES DISTRICT JUDGE

May 2, 2005
Florence, South Carolina